

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

MARK D. LIVINGSTON,)
)
Plaintiff,)
)
v.) **1:03CV00919**
)
WYETH INC., BRUCE KAYLOS and)
DAVID McQUAIG,)
)
Defendants.)

J-U-D-G-M-E-N-T

For the reasons set forth in the Memorandum Opinion and Order filed contemporaneously with this Judgment,

IT IS HEREBY ORDERED AND ADJUDGED that this action be, and the same hereby is, dismissed with prejudice.

/s/ P. Trevor Sharp
United States Magistrate Judge

Date: July 28, 2006